

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NORMA GONSALVES,
Presiding Officer

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, January 12, 2015
1:15 P.M

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S :

NORMA GONSALVES,
Chairwoman

RICHARD NICOLELLO,
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS,
Ranking

JUDY JACOBS

CARRIE SOLAGES

WILLIAM J. MULLER, III
Clerk of the Legislature

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

LIST OF SPEAKERS

GREGORY MAY, Director County Executive's Office.....	8
BRIAN SCHNEIDER, Nassau County Department of Public Works.....	14
ROBERT BENNISH, Local 580.....	22
GEORGE TRUICKO, Local 1298.....	22
LISA LOCURTO, County Attorney's Office....	24
JENNIFER PINES, Public Comment.....	26
BOB McMANUS, Nassau County District Attorney's Office.....	44
JOHN PRIEST, Assistant Chief, Nassau County Fire Marshall's Office.....	50
JAMES DARCY, appointee.....	92
JOSEPH GIRARDI, appointee.....	95
FRANK DODDATO, appointee.....	96
GREG STEPHANOFF, Sergeant, Nassau County Police Department.....	100

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INSERTS

Public Safety Committee Minutes

Page 63, line 6 through

Page 74, line 12

(Pertaining to Clerk Items:

9, 12, 15, 14, 29, 31, 32,
33, 18, 19, 20)

Public Works Committee Minutes

Page 74, line 13 through

Page 78, line 3

(Pertaining to Clerk Item: 11-15)

Health/Social Services Committee Minutes

Page 78, line 4 through

Page 91, line 9

(Pertaining to Clerk Items:
10, 15, 22, 38)

1 Rules Committee/1-12-15

2 CHAIRWOMAN GONSALVES: Please
3 enter the chamber so we can begin. Dennis
4 Dunne, please lead us in the Pledge of
5 Allegiance.

6 (Whereupon, the Pledge of
7 Allegiance was recited.)

8 CHAIRWOMAN GONSALVES: Please
9 don't sit. I would like to take a moment of
10 silence to remember the firefighter who lost
11 his life to save others and that was the
12 firefighter, Joseph Sanford. So a moment of
13 silence, please, in his honor.

14 (A moment of silence was
15 observed.)

16 Thank you very much.

17 LEGISLATOR JACOBS: And also,
18 Presiding Officer, I thought we should also
19 have a moment of silence for Diana Coleman.

20 CHAIRWOMAN GONSALVES: Sure.
21 Absolutely. Do it on the mike.

22 LEGISLATOR JACOBS: I thought we
23 should also have -- and Kevan is here now,
24 he may want to say something too, I think we
25 should have a moment of silence for Diana

1 Rules Committee/1-12-15

2 Coleman who was an outstanding Board of
3 Health member who passed away. She will be
4 sorely missed by all of those who knew her
5 very well.

6 (A moment of silence was
7 observed.)

8 CHAIRWOMAN GONSALVES: Thank you
9 very much. Now, as is usually the
10 procedure, the Rules Committee will meet
11 first. I'm going to ask the members of the
12 Rules Committee, Mr. Muller, will you please
13 call the roll for the Rules Committee?

14 CLERK MULLER: Yes. Thank you.
15 Legislator Solages?

16 LEGISLATOR SOLAGES: Here.

17 CLERK MULLER: Legislator Jacobs?

18 LEGISLATOR JACOBS: Here.

19 CLERK MULLER: Ranking Member
20 Abrahams?

21 LEGISLATOR ABRAHAMS: Here.

22 CLERK MULLER: Legislator Kopel?

23 LEGISLATOR KOPEL: Here.

24 CLERK MULLER: Legislator Dunne?

25 LEGISLATOR DUNNE: Here.

1 Rules Committee/1-12-15

2 CLERK MULLER: Vice Chairman

3 Nicolello?

4 LEGISLATOR NICOLELLO: Here.

5 CLERK MULLER: Chairwoman

6 Gonsalves?

7 CHAIRWOMAN GONSALVES: Present.

8 CLERK MULLER: We have a quorum.

9 CHAIRWOMAN GONSALVES: Thank you
10 very much, Mr. Muller.

11 As we usually do, we do the
12 contracts first. We don't have that many
13 contracts. And then the other committees
14 will meet and then Rules will reconvene.

15 For the first contract we have
16 A-1-15, a contract with IT and Contemporary
17 Computer Services, Inc.

18 A motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Kopel. Any questions or comments regarding
24 A-1? Yes, Minority Leader Abrahams.

25 LEGISLATOR ABRAHAMS: I don't

1 Rules Committee/1-12-15

2 know if there's someone here from the
3 administration that could speak to this,
4 but, in our research of the backup, it
5 appears that some of the disclosures were
6 incomplete.

7 CHAIRWOMAN GONSALVES: Mr. May,
8 can you address that?

9 MR. MAY: We can certainly take a
10 look at that. Obviously the commissioner of
11 IT is not here right now to address it
12 specifically but, if there's an issue with
13 the disclosure form, we can certainly get
14 you an updated copy.

15 LEGISLATOR ABRAHAMS: I think,
16 Mr. May, we were just looking for I guess
17 consistency to make sure that whenever there
18 is a contract that we always see if there
19 were any disclosures signed as part of the
20 contract as part of the backup.

21 MR. MAY: Right. I don't know
22 that I've seen those for the A contracts,
23 but certainly we can do that.

24 LEGISLATOR ABRAHAMS: Then the
25 letter is attached from the particular

1 Rules Committee/1-12-15

2 vendor or company as well.

3 MR. MAY: Right.

4 LEGISLATOR ABRAHAMS: Okay.

5 Thank you.

6 CHAIRWOMAN GONSALVES: Any other
7 comments regarding A-1?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, all those in
12 favor of Item A-1-15, and, remember, all the
13 contracts going forward now are for the year
14 '15, signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The contract passes unanimously.

19 The next contract is A-2 with DPW
20 and Gabrielli Truck Sales, Ltd.

21 A motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Dunne, seconded by Legislator

1 Rules Committee/1-12-15

2 Nicolello. Anyone here to speak on this
3 item, or are there any questions from the
4 legislators? Mr. Schneider, are you here to
5 speak on it?

6 Anyone have a question of Mr.
7 Schneider regarding this contract?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, all those in
12 favor of Contract A-2 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The contract passes unanimously.

17 Thank you, Brian. The next one
18 is Contract B-1 with DPW and Laser
19 Industries, Inc.

20 A motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Kopel. Before I ask for comments, I would

1 Rules Committee/1-12-15
2 like to recognize the fact that I have
3 received a letter from the Assistant
4 Business Manger of Local Number 1298, and I
5 believe there are a number of
6 representatives out there. I will read this
7 letter into the record dated January 12th,
8 2015:

9 "Dear Legislators: Laborers
10 Local 1298 represent 1,500 men and women of
11 Nassau/Suffolk Counties in the heavy and
12 highway construction industry.

13 With over 80 percent of our
14 members unemployed at this time, I urge to
15 award contract H4100607 athletic fields
16 improvement at Eisenhower Park. Awarding
17 this project will put dozens of Local 1298
18 laborers back to work.

19 Laser Industries Inc. is the
20 contractor with the lowest bid, and is an
21 outstanding union contractor for over 45
22 years. Never once have they been delinquent
23 in paying benefits to the members and their
24 safety record is impeccable.

25 I strongly ask you to award this

1 Rules Committee/1-12-15
2 project to Laser Industries Inc. Thank you
3 for your time and consideration. Sincerely,
4 George S. Truicko."

5 I gather there are a number of
6 members out there from 1298, am I correct?
7 Would you please stand? You are well
8 represented I see. Thank you very much.
9 You may be seated.

10 I see we also have a letter from
11 Building Materials Teamsters Local 282
12 regarding this project and it reads;

13 "Dear Legislator Gonsalves:

14 My name is Tom Gesualdi and I am
15 president of Teamsters Local 282.

16 On behalf of myself and the
17 entire Local 282 executive board, I would
18 like to express our full support of the
19 award of this contract: Athletic field
20 improvements at Eisenhower Park, Contract
21 H4100607G to Laser Industries.

22 We respectfully request that the
23 Legislature vote in support of the award of
24 this contract to Laser Industries, Inc. who
25 is a union contractor in good standing with

1 Rules Committee/1-12-15

2 Teamsters Local 282 and a member of the
3 Nassau Suffolk Trades Council."

4 I presume, are there members of
5 the 282 here as well? You can stand up too
6 and be recognized. Thank you very much for
7 being here and being so supportive.

8 And, of course, I have another
9 one from I believe this is the United
10 Brotherhood of Carpenters and Joiners of
11 America. Am I right? Yes, I think it is.
12 They have also sent a letter in regard to
13 this contract and their support of Laser
14 Industries to do the work at Eisenhower
15 Park. Is there anyone here representing
16 that particular union? Please stand up.

17 Now I know that there is one of
18 the principals of Laser here. He's just
19 here to give support to the union members
20 and is not going to come and speak before
21 us. His name is Anthony Galino and he is
22 from Laser Industries. You can stand up and
23 be recognized.

24 I know times are hard and I know
25 jobs are scarce and everything that we can

1 Rules Committee/1-12-15

2 do to make work available for our union
3 members, I think that this body is certainly
4 interested in doing.

5 Without any further ado, I'm
6 going to ask my colleagues if there is
7 anyone else who wants to tune in on this?
8 Anybody from the legislature? Yes, sir,
9 Minority Leader.

10 LEGISLATOR ABRAHAMS: Is there
11 anyone here from the administration?

12 CHAIRWOMAN GONSALVES: Brian, are
13 you going to speak on this? What can you
14 tell us?

15 MR. SCHNEIDER: Good afternoon.
16 This contract, or the purpose of this
17 contract is a general construction contract
18 to provide all the necessary labor and
19 materials to construct field improvements at
20 Eisenhower Park as detailed in the
21 construction plans and specifications.

22 Basically, the plan is to install
23 three turf baseball, three softball, and one
24 multi purpose soccer/lacrosse field to
25 replace the existing grass fields that are

1 Rules Committee/1-12-15

2 located adjacent to the Twin Rinks facility.
3 This new lit facility will result in a state
4 of the art turf field complex which will
5 represent a significant increase in revenue
6 potential to the parks department.

7 The low bidder was Laser
8 Industries and the contract expenditure of
9 \$10,872,418 was significantly lower than the
10 engineer's estimate, approximately 19
11 percent lower than the engineer's estimate
12 in 2011 and will be funded through various
13 capital project numbers that were approved
14 in the capital plan.

15 CHAIRWOMAN GONSALVES: Minority
16 Leader.

17 LEGISLATOR ABRAHAMS: Hey,
18 Brian. How are you?

19 MR. SCHNEIDER: Good afternoon,
20 sir.

21 LEGISLATOR ABRAHAMS: Just to
22 circle back on something you just mentioned
23 regarding the engineer's estimate. What was
24 the estimate again?

25 MR. SCHNEIDER: The engineer's

1 Rules Committee/1-12-15

2 estimate was \$13,317,180.

3 LEGISLATOR ABRAHAMS: And you
4 said what percentage was lower than the
5 contract --

6 MR. SCHNEIDER: 18.4 percent
7 lower than the engineer's estimate was
8 Laser's bid.

9 LEGISLATOR ABRAHAMS: The
10 question I do have, the bids were opened in
11 August of 2011?

12 MR. SCHNEIDER: That's correct.

13 LEGISLATOR ABRAHAMS: Then why is
14 this coming before us now for approval, why
15 didn't it come up three years ago?

16 MR. SCHNEIDER: Good question.
17 In 2011, we were not in a position to have
18 the funding approved all the way through
19 both the legislative and through NIFA, but
20 we are in a much better position now and the
21 administration wants to move forward.

22 We did reach out to the low
23 bidder, Laser, and they agreed to hold their
24 prices from 2011 which is significant
25 considering it was that much lower than the

1 Rules Committee/1-12-15

2 engineer's estimate, but we feel -- we're
3 pretty confident that this number would be
4 completely representative even if we went
5 out to bid again.

6 LEGISLATOR ABRAHAMS: I'm not an
7 expert in turf fields. But it's my
8 understanding that, based off the research
9 our team has been able to do, that a big --
10 what goes into building turf fields is the
11 cost of the petroleum, is that your
12 understanding as well?

13 Maybe the gentleman from Laser
14 can answer that.

15 MR. SCHNEIDER: Well, sure. Just
16 from our evaluation, it's not just the
17 petroleum cost that goes into the overall
18 price of construction. There are other
19 material costs that are not directly tied to
20 petroleum. For example, there is
21 significant excavation costs. There is
22 significant concrete and drainage components
23 that need to be incorporated into the
24 project. So, everything is not tied
25 completely into the cost of turf. You have

1 Rules Committee/1-12-15

2 to also keep in mind this is a union project
3 and union rates and wages have also
4 increased significantly. So I think they
5 are basically taking a risk by holding their
6 number from three years ago.

7 LEGISLATOR ABRAHAMS: This was
8 the lowest bid?

9 MR. SCHNEIDER: This was the
10 lowest bid. It was a very close bid, but
11 there were bidders. They were the lowest.

12 LEGISLATOR ABRAHAMS: What were
13 the other ones?

14 MR. SCHNEIDER: The other bid was
15 Landtek.

16 LEGISLATOR ABRAHAMS: I'm
17 familiar with LandTek. Not the bid amount
18 but I'm familiar with the company. What was
19 their bid? Is it in the backup?

20 MR. SCHNEIDER: It's in the
21 backup. It was an \$80,000 difference
22 between the two bidders. For a \$10.7
23 million job. It's pretty close.

24 LEGISLATOR ABRAHAMS: What was
25 the third?

1 Rules Committee/1-12-15

2 MR. SCHNEIDER: The third was
3 Alack and they were at 14.4.

4 LEGISLATOR ABRAHAMS: Considering
5 that the bids were opened three years ago,
6 you still feel confident that the county is
7 getting the best price on behalf of the
8 taxpayers?

9 MR. SCHNEIDER: Yes. We reached
10 out to the design engineers and we had them
11 research more recent bid openings based on
12 New York State DOT prices which is something
13 that we use in evaluation and also other
14 contracts that we have opened in the last
15 six months and we are very confident that
16 the numbers that they have provided are
17 representative of existing conditions.

18 LEGISLATOR ABRAHAMS: One second.
19 Someone else can go.

20 CHAIRWOMAN GONSALVES: Legislator
21 Jacobs.

22 LEGISLATOR JACOBS: Brian, I have
23 one. Is this turf lead free?

24 MR. SCHNEIDER: Basically turf --
25 I know there's been a lot of examination of

1 Rules Committee/1-12-15

2 turf and the impacts of exposure of the
3 rubber infill. Our own health department
4 did an investigation. Basically turf and
5 infill, it's an inert compound and has no
6 health effect that can be seen anywhere.

7 There are studies across the
8 country and across the world on the impacts
9 of turf fields and the various types of
10 infill and they have had no health impacts
11 on kids or anyone for that matter coming in
12 contact with synthetic turf or the infill
13 product.

14 LEGISLATOR JACOBS: It was a
15 question that was posed to me, obviously, by
16 a parent. I just wanted to have an
17 intelligent answer on that.

18 So, do you think they
19 specifically looked into lead?

20 MR. SCHNEIDER: Yes. I can look
21 back at the chemical analysis of the infill
22 and of the turf and, Anthony, do you know
23 anything?

24 I do not believe, but I can do
25 some research, but I do not believe that we

1 Rules Committee/1-12-15

2 use any lead projects in all the turf
3 projects that we have already completed.
4 Keep in mind that we have completed turf
5 projects at Grant Park, Cantiague, Cedar
6 Creek, all these turf fields have gone
7 through completion. But I can double back
8 on that one.

9 LEGISLATOR JACOBS: I appreciate
10 it.

11 CHAIRWOMAN GONSALVES: Minority
12 leader Abrahams.

13 LEGISLATOR ABRAHAMS: Brian, I'm
14 sure, as you remember, a couple of weeks
15 back, there was a big debate on the floor
16 between LandTek as well as some of the
17 unions in regards to there being a qualified
18 apprenticeship program. That does not
19 appear to be the issue today.

20 MR. SCHNEIDER: That is not the
21 issue today, no.

22 LEGISLATOR ABRAHAMS: But I know
23 there are many members here of several
24 different unions. Is there anyone willing
25 to be able to speak on the record regarding

1 Rules Committee/1-12-15

2 that there are no issues with that? It's
3 not a direct question to you, Brian.

4 CHAIRWOMAN GONSALVES: I believe
5 that there was a gentleman who put in a slip
6 from Local 1298. What is your name, please?

7 MR. BENNISH: Robert Bennish,
8 Local 580 oilmen and ironworkers. I was
9 here a few weeks ago and that was the issue.
10 There is no issue at all with Laser and he's
11 done nothing but a lot of careers for a lot
12 of people. Not just a job. So I think I
13 can speak for everybody in here. Our hats
14 are really off. I wish we had a hundred of
15 him, but they are 100 percent, and the
16 apprenticeship couldn't be on the money any
17 more than with Laser. Thank you.

18 LEGISLATOR ABRAHAMS: Thank you,
19 Mr. Bennish.

20 CHAIRWOMAN GONSALVES: Does
21 George want to speak? I have a slip for you
22 if you would like to say something. Please
23 state your name for the record so I don't
24 butcher it.

25 MR. TRUICKO: George Truicko,

1 Rules Committee/1-12-15

2 Assistant Business Manager, Labors Local
3 1298. I just want to say high praises for
4 Laser. He employs over 60 of our laborers
5 year round. Never late in paying any
6 benefits. They work safe. Never had an
7 issue on the job. This project would be a
8 tremendous boost for us. Especially not
9 that most of the laborers are out of work.
10 It would be really a tremendous boost for us
11 and I urge the board to approve this
12 project. Thank you.

13 CHAIRWOMAN GONSALVES: Thank you,
14 George. Any other comments? Yes.
15 Legislator Solages.

16 LEGISLATOR SOLAGES: Yes. I
17 think going back at least ten years to law
18 school, I think there is in the General
19 Municipal Obligations Law, it says that a
20 bid may not be viable, it's from 2011. How
21 do you know legally if that bid is still
22 legally viable? Can someone from the County
23 Attorney's Office --

24 MR. SCHNEIDER: They did review
25 the bid. In actuality, this contract was

1 Rules Committee/1-12-15

2 filed with the clerk back in 2011. I think
3 it was Item 35-2011. It was never called.
4 After 45 days I think it officially could be
5 considered a contract.

6 LEGISLATOR SOLAGES: Is there
7 anyone here from the County Attorney's
8 Office that could provide a legal opinion on
9 this? I want to make sure that we're getting
10 involved in something that's legally viable.

11 CHAIRWOMAN GONSALVES: Greg May,
12 is there anyone from the County Attorney's
13 Office here?

14 MR. MAY: Yes. There are some
15 individuals from the County Attorney's
16 Office here. I believe the question is
17 whether or not the bid is still valid.

18 CHAIRWOMAN GONSALVES: That's the
19 question.

20 MR. MAY: Okay.

21 CHAIRWOMAN GONSALVES: Lisa
22 Locurto, I don't know if this is her field
23 of expertise.

24 MS. LOCURTO: Just to clarify,
25 Lisa Locurto from the County Attorney's

1 Rules Committee/1-12-15

2 Office. Your question is whether or not
3 there is a specific time frame for when the
4 bid can be accepted? I will have to
5 double-check with our municipal transaction
6 bureau. Usually, when there is an RFP,
7 there is a set time when that bid has to be
8 accepted by. I don't believe there was one
9 on this so I would have to verify what the
10 specifics in Municipal Law says on that.
11 But I will do that momentarily and get you
12 an answer.

13 CHAIRWOMAN GONSALVES: Thank you
14 very much, Ms. Locurto.

15 Any other comments? Ms. LoCurto,
16 how quickly can you get that answer?

17 MS. LOCURTO: I'm going to try to
18 get it within the next ten minutes, if not
19 sooner.

20 LEGISLATOR NICOLELLO: I think
21 that's a good question actually to make sure
22 that this is legitimate. But I think we as
23 legislators should take a look at the
24 calendar, if these questions come up, if we
25 look at the calendar on Friday or whenever

1 Rules Committee/1-12-15

2 we get it, at least we can let the
3 administration know that there's a question
4 so that they can have somebody here. Just
5 my suggestion.

6 MR. MAY: Madam Presiding
7 Officer, I just spoke to one of the County
8 Attorney's Offices. Before I had
9 resubmitted this item for consideration, I
10 had spoken to them, and the analysis done
11 was that, as long as the vendor was willing
12 to honor the price that they quoted us, this
13 was in 2011, so I guess that's three or four
14 years ago at this point, there was nothing
15 that they found in the bid documents that
16 stipulated it had to be accepted within a
17 certain length of time.

18 If you want to hear that from
19 Lisa instead of myself, I can have her say
20 basically the same thing, but I had checked
21 on this before I resubmitted it.

22 CHAIRWOMAN GONSALVES: Would you
23 like to hear from Ms. LoCurto to reaffirm
24 what Mr. May has just said?

25 LEGISLATOR SOLAGES: Yes, please.

1 Rules Committee/1-12-15

2 CHAIRWOMAN GONSALVES: Ms.

3 Locurto, where are you? All right. In the
4 meantime --

5 MR. MAY: I think I got to the
6 County Attorney before she did, but, just to
7 reiterate, Legislator Solages, I had
8 researched this issue before we resubmitted
9 it because I anticipated this question and
10 the answer at the time from the County
11 Attorney's Office was that as long as the
12 vendor honors their bid, there was nothing
13 in the bid documents indicating that it had
14 to have been accepted within a certain time
15 frame.

16 CHAIRWOMAN GONSALVES: Will you
17 affirm what Mr. May just said?

18 MS. LOCURTO: Yes, I reaffirm
19 what Mr. May just said.

20 LEGISLATOR SOLAGES: Ms. Locurto,
21 is there anything in the General Municipal
22 Law that limits the viability of that bid?

23 MS. LOCURTO: I don't believe so.

24 LEGISLATOR SOLAGES: Thank you.

25 MS. LOCURTO: I'm not aware of

1 Rules Committee/1-12-15

2 anything in the General Municipal Law that
3 would prohibit it.

4 CHAIRWOMAN GONSALVES: We have
5 another individual who would like to address
6 the body. I believe it's Jennifer Wilson.
7 I don't know what the last name is. Pine?

8 For the record, please state your
9 name.

10 MS. PINES: Jennifer Wilson
11 Pines. Since this contract is for replacing
12 natural playing fields with artificial turf,
13 I would just like the legislature to
14 consider some of the health issues that are
15 represented by the replacement of artificial
16 turf.

17 There have been extensive studies
18 done by the State of Connecticut on these
19 sort of playing fields. Some of the
20 concerns they found, they were not
21 particularly represented, but things they
22 did state, were that they found to be issues
23 were zinc leachate and having to find ways
24 to remediate that. You should be aware that
25 the subsurface is made basically from ground

1 Rules Committee/1-12-15

2 up tires, things that you can't actually put
3 into land fills which contain a variety of
4 different metals.

5 One of the primary concerns is
6 the children or even adults playing on these
7 surfaces is that they become much hotter
8 than the surrounding ambient air. As much
9 as 25 to 30 degrees, and, on a hot day, that
10 could cause stroke. A lot of areas that
11 have had these have had to put in some kind
12 of a misting system to make the surface
13 usable during heat waves.

14 Some of the other issues with it
15 is, because it's a nonporous surface, it's
16 difficult to keep it sanitized if you have
17 people falling or bleeding or sweating, all
18 of those fluids end up on the surface and
19 they stay on the surface.

20 I even found that there's a
21 manufacturer who creates a UV sterilization
22 system to try to remove the bacteria from
23 these surfaces. One of the concerns is that
24 they are not quite far enough down the road
25 to really know the issues on what happens to

1 Rules Committee/1-12-15

2 these surfaces as they age. As they age and
3 the surface begins to deteriorate, it
4 releases dust. This could be an issue for
5 children with asthma or even adults with
6 asthma. There are even some fields that
7 will generate latex allergies.

8 I would just like to ask the
9 Legislature to carefully consider the
10 replacement of natural turf playing fields
11 with artificial turf since there are a
12 number of concerns. Thank you.

13 CHAIRWOMAN GONSALVES: Thank you,
14 Ms. Pines. Any other comments? Legislator
15 Jacobs.

16 LEGISLATOR JACOBS: Brian, I was
17 wondering if I could ask you a question.

18 MR. SCHNEIDER: Sure.

19 LEGISLATOR JACOBS: With what
20 Ms. Pines just brought up, with these
21 different issues about the possibility of
22 the tires being under it, and getting very
23 hot and needing sprinklers sometimes to cool
24 the surface down, and obviously bodily
25 fluids not actually seeping into the ground

1 Rules Committee/1-12-15

2 as grass would, and I know we have some turf
3 fields we've done.

4 MR. SCHNEIDER: Yes. We have
5 multiple turf fields and each turf field has
6 its own operation and maintenance manual.
7 Some of the points that Jennifer brought up,
8 some are older arguments which really are
9 not really valid anymore, but some of the
10 more recent arguments as far as diseases and
11 whatnot with bodily fluids, there are
12 operation and maintenance things that need
13 to get done as far as cleaning each of these
14 turf fields. So that's something that's
15 baked into the operation and maintenance of
16 each of these fields. It is something that
17 the parks department is going to have to do.

18 So, these are things that are
19 known in the industry. Things that are
20 included in the county's operation and
21 maintenance of all the facilities that we
22 have. So, it is not something that is a
23 surprise or new. It's not recent. It's not
24 a recent discovery of impacts based on the
25 use of these fields. These are things that

1 Rules Committee/1-12-15

2 have been known for quite some time.

3 LEGISLATOR JACOBS: But is it
4 safe to say, and I don't know enough about
5 this to be an expert, obviously at all, but
6 is it safe to say that at the end of the day
7 there is a certain cleaning process that
8 goes on on these fields each time?

9 MR. SCHNEIDER: Well, it's not
10 like after a wrestling tournament you have
11 to clean the mats. It's certainly not
12 something that has to be done on a daily
13 basis. But, on a monthly basis, it is part
14 of the operation and maintenance guidelines
15 that are baked into the operation of the
16 facility. It's not a surprise. We do it at
17 Grant Park, do it at Cedar Creek, we do it
18 at Cantiague. We are doing it at Mitchell
19 Field as well because we just built a
20 baseball field for Molloy there as well.

21 So, these are things that are
22 known and thinks that have to get done in
23 order to make the facility safe for children
24 and adults alike.

25 LEGISLATOR JACOBS: And these are

1 Rules Committee/1-12-15

2 schedules as to the cleaning?

3 MR. SCHNEIDER: Absolutely.

4 LEGISLATOR JACOBS: As part of
5 the DPW schedule?

6 MR. SCHNEIDER: Absolutely. And
7 as part of the maintenance and guarantee
8 period for the turf itself, that each field
9 there needs to be a log that's kept of the
10 maintenance that is performed on that field
11 in order to keep the maintenance and
12 guarantee valid for, I believe each field
13 has an eight year warranty.

14 As far as the length of time that
15 these fields are viable, they do wear out
16 based on usage. It's industry standard
17 after ten years the carpet needs to be
18 replaced. That's depending on use. The
19 more use, the more wear and tear, the fibers
20 would wear out a little bit more. So there
21 is a good chance that after ten years of a
22 useful life, these turf carpets will need to
23 be replaced.

24 LEGISLATOR JACOBS: I fully
25 understand. Look, we all know that

1 Rules Committee/1-12-15

2 residents love this. I know the industry
3 would love this and, certainly, I
4 personally, I don't know of, they look
5 beautiful, but we would be foolish not to
6 ask these questions because you have
7 children, even adults, playing on it and,
8 say there's fisticuffs or bleeding from the
9 normal game, or let's say a child gets ill,
10 that's not something, usually you would take
11 a hose with heavy pressure and it's gone.
12 But here you're talking about like carpeting
13 in your house. It takes more than using a
14 wet towel to get rid of it.

15 MR. SCHNEIDER: Well, water does
16 infiltrate through these materials. So,
17 washing down a spill or something is part of
18 the maintenance of the field. It's not
19 like, it's almost not like it's a tile floor
20 where it has to be cleaned up. So flooding
21 it with water is something that would be
22 part of a spill cleanup, for example.

23 LEGISLATOR JACOBS: Thank you.

24 CHAIRWOMAN GONSALVES: Legislator
25 Dunne.

1 Rules Committee/1-12-15

2 LEGISLATOR DUNNE: Madam chair,
3 about a decade ago, I officiated an eastern
4 handicap track and field competition, and
5 the field did get hot, over the summer it's
6 extremely hot, but the coaches were aware of
7 that and they hydrated the kids that were
8 competing. They had tons and tons of water,
9 ice water. They make due with the process.

10 As we know for decades the
11 Astroturf on baseball fields has never
12 caused a problem, we have never heard any
13 kind of problems with the boys and girls
14 playing lacrosse, boys and girls playing
15 soccer on these fields, all over Nassau
16 County, all over the country, actually.

17 We have football games still
18 being played on these surfaces. Get these
19 men to work. They're waiting for work.
20 Let's stop all this nonsense because maybe
21 some day they might find out that something
22 might have happened. That's not going to
23 stop it. Let's vote this through, Madam
24 Chair.

25 CHAIRWOMAN GONSALVES: Brian, I

1 Rules Committee/1-12-15

2 just want to be reassured that there is a
3 maintenance procedure in place which parks
4 is committed to?

5 MR. SCHNEIDER: Absolutely. Yes,
6 ma'am.

7 LEGISLATOR JACOBS: And I want to
8 reaffirm what you just said. I certainly
9 was not against the kids having the fields
10 to play on. I certainly am for the workers
11 having the jobs to do. Essentially I've
12 always been for that. I mean all I'm asking
13 is logical questions as a grandparent and
14 certainly as a parent of kids who played,
15 got hurt, I knew they got hurt. So,
16 obviously, I appreciate your answers.
17 That's all. I felt due diligence, right,
18 and find out if something is bothering you
19 to find out what is doing.

20 MR. SCHNEIDER: Absolutely.

21 CHAIRWOMAN GONSALVES: Minority
22 Leader Abrahams.

23 LEGISLATOR ABRAHAMS: If I may
24 echo what the Presiding Officer and
25 Legislator Jacobs has said, I think that

1 Rules Committee/1-12-15

2 when any legislator sees a good well
3 intentioned initiative such as the one
4 that's before us today, our natural inkling
5 is obviously to support it.

6 We would be walking away from our
7 responsibility if we didn't ask the proper
8 questions. I thank you, Mr. Schneider, for
9 asking our questions very forthright.

10 That being said, my final
11 question is really just tied to -- I know in
12 some of the cases where we have built turf
13 fields, there have been agreements with
14 particular groups to have access to those
15 fields. These fields are completely 100
16 percent open to the entire public any time
17 of the day or do they have to go through the
18 parks department?

19 MR. SCHNEIDER: I would believe
20 that since the intention is to install
21 fences around the facilities, that you will
22 probably need to get a permit from the parks
23 department utilizing the existing fee and
24 permit schedule that was adopted by the
25 legislature.

1 Rules Committee/1-12-15

2 LEGISLATOR ABRAHAMS: I'm just
3 saying if I wanted to go to the park and
4 throw the football around with my son, could
5 I get on to the field?

6 MR. SCHNEIDER: I don't see why
7 not, but, again, that would need to be run
8 through the parks department. I don't know
9 if each facility is going to be fenced and
10 locked.

11 CHAIRWOMAN GONSALVES: Let me ask
12 you something.

13 MR. SCHNEIDER: Yes, ma'am.

14 CHAIRWOMAN GONSALVES: Right now
15 we do have a procedure in place for use of
16 those fields, whether it be turf fields or
17 regular fields?

18 MR. SCHNEIDER: Correct.

19 CHAIRWOMAN GONSALVES: I believe
20 that whatever the guidelines are for those
21 fields would be the same for the turf
22 fields?

23 MR. SCHNEIDER: Correct.

24 CHAIRWOMAN GONSALVES: That would
25 be established by the parks department which

1 Rules Committee/1-12-15

2 they presently do do?

3 MR. SCHNEIDER: That's correct,
4 yes, as I understand it.

5 LEGISLATOR ABRAHAMS: Keep in
6 mind that some of the locations we are
7 talking about, the public is able to get
8 there because there is no fence. They are
9 able to walk on to the field -- and I'm not
10 saying public. When I say public, I'm not
11 talking about a group or organization, I'm
12 talking about a father and a son or a mother
13 and a daughter just going on and playing
14 catch.

15 MR. SCHNEIDER: Right. And I
16 believe there are still plenty of areas
17 where you can still do that. Whether or not
18 you can just get on to the turf field and
19 just toss a ball around. It's not like
20 we're putting up 12 foot security fences. I
21 believe that if you are having a picnic and
22 you want to go throw a football around or
23 hit a softball, I don't see any reason why
24 you won't be able to do that. But, if you
25 are planning on being at the park for some

1 Rules Committee/1-12-15

2 event, getting a permit for that --

3 LEGISLATOR ABRAHAMS: That I
4 understand. I'm talking about a couple of
5 guys on Thanksgiving Day going out and
6 throwing around the pigskin.

7 MR. SCHNEIDER: And pulling a
8 hamstring.

9 LEGISLATOR ABRAHAMS: I know that
10 all too well. But, thank you, Brian.

11 CHAIRWOMAN GONSALVES: Legislator
12 Solages.

13 LEGISLATOR SOLAGES: One last
14 question. Actually, Kevan was referring to
15 us, we play football game on Thanksgiving at
16 that park. But, the last question. How
17 much revenue can we gain from this,
18 specifically, in a year?

19 MR. SCHNEIDER: Well, the Parks
20 Department was very clear that they were
21 going to be putting something together for
22 the revenue stream that is anticipated based
23 on the discussions they have been having
24 with football groups and soccer groups and
25 lacrosse and the various baseball teams.

1 Rules Committee/1-12-15

2 They believe that they can
3 markedly increase the revenue by attracting
4 national tournaments for softball, baseball,
5 football, soccer and lacrosse. I don't have
6 an actual projection of that number, but we
7 are saying it's going to be markedly more
8 because each of these fields are going to be
9 lit. Right now there's only one field at
10 Eisenhower, one baseball field, that's lit.
11 So we're going to increase the availability
12 of these fields at least 10 fold.

13 CHAIRWOMAN GONSALVES: Mr.
14 Abrahams, I think maybe we can ask the Parks
15 Department to give us an estimate of what
16 revenues would be generated from it. I
17 don't believe I see anyone here from Parks,
18 but I think there is nothing from precluding
19 us to --

20 MR. SCHNEIDER: I know they are
21 working on that. They can make that
22 available to you as soon as possible.

23 CHAIRWOMAN GONSALVES: Yes, they
24 can make that information available to us.
25 Thank you very much, Mr. Schneider.

1 Rules Committee/1-12-15

2 LEGISLATOR DUNNE: Madam Chair,
3 one last thing brought to my attention. The
4 wonderful thing about these turf fields, you
5 don't have to worry about the geese poo with
6 the kids playing on it. It's healthy-wise,
7 it's better for them. Let's pass this,
8 Madam Chair.

9 CHAIRWOMAN GONSALVES: There
10 being no other comments, I'm going to ask
11 all those in favor of Contract B-1 with
12 Laser Industries signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The contract passes unanimously.
17 Thank you. I think the union members, Mr.
18 Galino, I think your time here was well
19 spent. Thank you and have a good day. We
20 will wait for you to leave.

21 We're up to the personal service
22 contract, E-1-15, with DPW and John A.
23 Grillo Architect, P.C.

24 Motion, please.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/1-12-15

2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Kopel. Who do we have here to speak on this
6 one? Brian, they're keeping you busy.

7 MR. SCHNEIDER: You're stuck with
8 me again. Brian Schneider from Public
9 Works. This personal services contract is
10 to perform architectural and engineering
11 services including the architectural
12 investigation analysis, and preparation of
13 construction documents, and also
14 construction administration services
15 associated with the replacement of existing
16 building window systems and remedial facade
17 repairs at the Court Complex known as 252,
18 262 and 272 Old Country Road.

19 At the end of the day this will
20 result in a bid document for construction as
21 well as construction administration services
22 and the low bidder was or the most
23 responsible bidder was John Grillo
24 Architects in the amount of \$111,500.

25 CHAIRWOMAN GONSALVES: Any

1 Rules Committee/1-12-15

2 questions of Mr. Schneider on this item?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of E-1 signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The item passes unanimously.

12 Next is E-2, a contract with
13 district attorney and Women's Opportunity
14 Rehabilitation Center, Inc.

15 A motion, please.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR NICOLELLO: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Dunne, seconded by Legislator
20 Nicolello. Who do we have?

21 MR. MCMANUS: Bob McManus,
22 District Attorney's Office. This agreement
23 before you is to partially cover operating
24 expenses for the Women's Opportunity
25 Rehabilitation Center located at 91 North

1 Rules Committee/1-12-15

2 Franklin Street in Hempstead. The center
3 provides counseling and employment
4 assistance to women diverted from criminal
5 prosecution or recently released from
6 incarceration, in an effort to increase the
7 likelihood of a successful reintegration
8 into the community, and to reduce the
9 chances of a return to criminal activity.

10 CHAIRWOMAN GONSALVES: Any
11 questions of Mr. McManus? This is 100
12 percent funded?

13 MR. MCMANUS: Yes, 100 percent
14 grant funded.

15 CHAIRWOMAN GONSALVES: Any
16 questions from the legislators?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of personal service agreement E-2
22 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Rules Committee/1-12-15

2 The item passes unanimously.

3 MR. MCMANUS: Thank you.

4 CHAIRWOMAN GONSALVES: Thank you,
5 Mr. McManus. The next item is E-3 with the
6 legislature and Precise Reporting Services
7 d/b/a Regal Reporting Services.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR KOPEL: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Dunne, seconded by Legislator
12 Kopel.

13 LEGISLATOR DUNNE: I think that
14 Frank duly deserves this and he earns it
15 every single session.

16 CHAIRWOMAN GONSALVES: He never
17 seems to get up from that seat. Is there
18 any public comment on this item?

19 (No verbal response.)

20 There being none, all those in
21 favor of E-3 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item passes unanimously.

1 Rules Committee/1-12-15

2 Next item is Item E-4 with the
3 Legislature and Word Power Unlimited.

4 Motion, please.

5 LEGISLATOR KOPEL: So moved.

6 LEGISLATOR DUNNE: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Kopel, seconded by Legislator
9 Dunne. Any questions regarding this item?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of E-4 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item passes unanimously.

19 I'm going to hold E-5, and I
20 believe E-6, E-9 are the last, I believe
21 they are all related, and I believe I'm
22 going to move to E-8 which is with DPW and
23 Witt O'Brien's, L.L.C.

24 A motion, please.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/1-12-15

2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Kopel. E-8. Anyone here to speak on this
6 item? I guess, Brian, you're it again.

7 MR. SCHNEIDER: Brian Schneider
8 from Public Works. This is the last of nine
9 agreements that we put before this body.
10 The intention is to enter into a personal
11 services agreement to provide disaster and
12 debris monitoring services. It was our
13 intention to establish a pool of highly
14 experienced and highly qualified disaster
15 and debris monitoring consultants to protect
16 the health, safety, and welfare of the
17 residents of the county should a disaster
18 strike. The consultant would be responsible
19 for managing and monitoring the recovery
20 efforts of the county's debris management
21 contractors who will be working out in the
22 field.

23 As I mentioned before, there are
24 eight agreements that already passed this
25 body. This ninth agreement was held for

1 Rules Committee/1-12-15

2 some paperwork issues, but we are putting it
3 before you now. There is a contract maximum
4 of a half a million dollars as was the case
5 with the other eight firms.

6 CHAIRWOMAN GONSALVES: Questions
7 of Mr. Schneider on this item?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, all those in
12 favor of E-8 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item passes unanimously.

17 Just for the record, E-5, 6 and 9
18 we're calling last. I don't want anyone to
19 think that we're not going to call them.
20 So, E-5, 6 and 9.

21 So, we are going to move to the
22 next one, E-10, which is a contract with
23 Human Resources and AETNA, Inc.

24 A motion, please.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/1-12-15

2 LEGISLATOR NICOLELLO: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Nicolello. Any questions regarding this
6 item?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of E-10 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item passes unanimously.

16 Item E-11, a contract with the
17 Fire Commission and Vocational Education
18 Extension Board.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR NICOLELLO: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Nicolello. I'm glad you didn't have to wait
24 forever.

25 MR. PRIEST: John Priest, Nassau

1 Rules Committee/1-12-15

2 County Fire Marshall's Office, Assistant
3 Chief. Good afternoon. Happy New Year.

4 The item in front of you is the
5 annual contract with Vocational Education
6 Extension Board to provide staff and
7 educational programs at the Nassau County
8 Fire Service Academy to be shared upon by
9 the 71 volunteer fire departments.

10 CHAIRWOMAN GONSALVES: Any
11 questions of Assistant Chief Priest?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of E-11 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item passes unanimously.

21 Thank you, Mr. Priest.

22 Now we go back to 5 and 6 and 9.
23 Item 7 we're not calling for those who were
24 wondering.

25 Item E-5, a contract with County

1 Rules Committee/1-12-15

2 Attorney and Leahey & Johnson, P.C.

3 A motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Kopel. Now, Lisa, tell us about this.

9 MS. LOCURTO: This is a contract
10 with special counsel, Leahey & Johnson, to
11 provide legal services specifically to
12 represent former Police Commissioner Thomas
13 Dale in the matter of the Randy A. Hoskins
14 versus the County of Nassau, Police
15 Commissioner, Nassau County Police
16 Commissioner Dale and various other
17 detectives.

18 This was a lawsuit, a lawsuit was
19 commenced. A summons and complaint was
20 filed in federal court. The matter was
21 assigned to Judge Furestein. Due to the
22 numerous persons involved, and the
23 allegations, it was determined potential
24 conflicts of interest may arise during the
25 discovery phase and we retained counsel

1 Rules Committee/1-12-15

2 specifically for Former Commissioner Dale.

3 Due to the potential conflict of
4 interest, that's why this case is being
5 assigned to outside counsel rather than
6 being handled in the County Attorney's
7 Office.

8 CHAIRWOMAN GONSALVES: Any
9 questions on this item? Minority Leader
10 Abrahams.

11 LEGISLATOR ABRAHAMS: How are
12 you, Ms. Locurto?

13 MS. LOCURTO: Very good, sir.

14 LEGISLATOR ABRAHAMS: A couple of
15 questions. First, I just want to make sure
16 I understand how much has been billed in
17 this case and then also, which will probably
18 lead into an another series of questions.

19 According to the docket, there
20 appears to be separate counsel for the chief
21 of detectives, Mr. Capisi, as well as for
22 Sergeant Mastretta, and should this
23 legislature be anticipating similar
24 contracts like the one we're seeing before
25 us for Mr. Dale?

1 Rules Committee/1-12-15

2 MS. LOCURTO: I don't believe so.
3 Those contracts for those named detectives
4 and individuals, the contract with those
5 special counsel that we retained does not
6 exceed the threshold. The Leahey & Johnson
7 contract is coming to you because the
8 aggregate of contracts with the Leahey firm
9 exceeds the \$50,000 threshold which requires
10 it to come before the legislature and have
11 approval from the legislature.

12 LEGISLATOR ABRAHAMS: Is it
13 possible at some point that we will see the
14 counsel for Mr. Mastretta as well as Mr.
15 Capisi?

16 MS. LOCURTO: It is possible,
17 yes, if it exceeds \$25,000, but the billings
18 have not exceeded the \$25,000 yet. So
19 that's why it has not come before you.

20 LEGISLATOR ABRAHAMS: I just want
21 to make sure we understand each other.
22 Then, we are paying for the defense of all
23 three gentleman, the county?

24 MS. LOCURTO: We are paying for
25 the defense of county employees who have

1 Rules Committee/1-12-15

2 been indemnified and/or have been sued in
3 this particular lawsuit. Yes, the county is
4 defending them.

5 LEGISLATOR ABRAHAMS: We are
6 defending, paying for them?

7 MS. LOCURTO: Yes.

8 LEGISLATOR ABRAHAMS: And what
9 was -- and just to get back to my initial
10 question. What has been the total amount
11 that has been paid out in regard to Leahey &
12 Johnson regarding Mr. Dale?

13 MS. LOCURTO: I don't have that
14 number with me, but I can get you that
15 answer.

16 LEGISLATOR ABRAHAMS: That will
17 definitely help us. Hold on a second.

18 CHAIRWOMAN GONSALVES: Any other
19 questions of Ms. Locurto on this item?

20 LEGISLATOR ABRAHAMS: One more
21 question. I am aware of the district
22 attorney's findings regarding Mr. Dale, but
23 the district attorney, from what I can
24 gather from her findings, and from what I
25 can gather from the reports, the previous

1 Rules Committee/1-12-15

2 district attorney, I apologize, there was
3 always the impression that there was an
4 ongoing investigation continuing in regards
5 to the other gentlemen.

6 Are you aware of any ongoing
7 investigation?

8 MS. LOCURTO: I personally am not
9 aware, but I will find out that answer and
10 get back to you.

11 LEGISLATOR ABRAHAMS: I'm
12 concerned about the possibility that the
13 county could be representing two individuals
14 that are still currently under
15 investigation.

16 If I remember correctly, District
17 Attorney Rice believed that there was no
18 criminal conduct by Mr. Dale. However, if
19 the new district attorney, Mrs. Singas,
20 decides that there is, I'm concerned that
21 the ongoing investigation could turn out
22 something in regards to us representing them
23 which could be concerning.

24 MS. LOCURTO: Understood,
25 legislator. I will seek out that answer for

1 Rules Committee/1-12-15

2 you and respond accordingly.

3 LEGISLATOR ABRAHAMS: When can
4 you provide that answer to us?

5 MS. LOCURTO: As soon as I finish
6 testifying here, I can reach out to the DA's
7 office. I don't know if I can have an
8 answer by the end of today, but I can
9 endeavor to do so.

10 LEGISLATOR ABRAHAMS: I see. One
11 second, Madam Presiding Officer.

12 We eagerly anticipate the
13 information that you are able to find for
14 us, if you are able to get that to us by the
15 end of the day, that would be great.

16 MS. LOCURTO: Okay. I will.

17 CHAIRWOMAN GONSALVES: Deputy
18 Presiding Officer Nicolello.

19 LEGISLATOR NICOLELLO: Ms.
20 Locurto, the determination as to whether the
21 officers, former commissioner are entitled
22 to a defense is made by the indemnification
23 board, correct?

24 MS. LOCURTO: Correct, sir.

25 LEGISLATOR NICOLELLO: And

1 Rules Committee/1-12-15

2 whether or not there is an investigation or
3 there was an investigation, once the
4 indemnification board determines that they
5 are entitled to a defense that we have to
6 defend them?

7 MS. LOCURTO: Correct.

8 LEGISLATOR NICOLELLO: Thank you.

9 CHAIRWOMAN GONSALVES: Any other
10 questions or comments from the legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-5 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes 4 to 3. But, Ms.
20 Locurto, you're still going to get that
21 information.

22 MS. LOCURTO: Yes, ma'am.

23 CHAIRWOMAN GONSALVES: We're
24 going to Item E-6 with County Attorney,
25 Berkman, Henoch, Peterson, Peddy & Fenchel,

1 Rules Committee/1-12-15

2 P.C.

3 A motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Kopel. What can you tell us about this one?

9 MS. LOCURTO: This is a contract
10 amendment to an existing contract. It is to
11 provide for the legal services in two
12 particular litigations; one being the Prince
13 matter and the other being Sharbay.

14 Currently, in the matter of
15 Prince, there was a dismissal of all claims,
16 of all of the plaintiff's claims against the
17 county. An appeal was filed and the Second
18 Circuit has affirmed the lower court
19 decision.

20 This amendment will provide for
21 the conclusion of those legal services
22 provided to date and should there be any
23 further appeal. It is not likely since the
24 Second Circuit has affirmed the decision
25 dismissing the claims against the county.

1 Rules Committee/1-12-15

2 With regard to the Sharbay
3 matter, the county was successful in a
4 summary judgement motion. It was granted by
5 the court.

6 However, the plaintiff has filed
7 an appeal and that appeal is still ongoing.
8 The additional monies in this contract will
9 cover the appeal in the Sharbay matter.

10 CHAIRWOMAN GONSALVES: Any
11 questions or comments for Ms. LoCurto?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of E-6 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (Nay.)

20 The item passes 4 to 3.

21 Now I believe for Item E-9. Let
22 me read it into the record. E-9 is a
23 contract with County Attorney and Berkman,
24 Henoeh, Peterson, Peddy & Fenchel, P.C.

25 A motion, please.

1 Rules Committee/1-12-15

2 LEGISLATOR KOPEL: So moved.

3 LEGISLATOR DUNNE: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Kopel, seconded by Legislator
6 Dunne. Now, it's your turn.

7 MS. LOCURTO: This is an
8 amendment to an existing outside counsel
9 contract. It serves two purposes; one to
10 apply for additional monies in the contract
11 for the ongoing litigations and also to add
12 additional representation for the county in
13 connection with the 107 Charles Lindbergh
14 ground lease between the county and HPI
15 partners.

16 I can provide you with the
17 amendment, covering existing cases in the
18 Stubile matter which is a federal lawsuit.
19 The county has had substantial progress in
20 resolving that matter and it's almost
21 resolved.

22 Also, in the matter of the
23 Batiste case, extensive motion practice has
24 been taken and the additional monies will be
25 for legal services when the matter goes to

1 Rules Committee/1-12-15

2 trial.

3 CHAIRWOMAN GONSALVES: Any
4 questions or comments for Ms. LoCurto on
5 this item?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of E-9 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (Nay.)

14 The item passes 4 to 3. The
15 Rules Committee is now in recess and Public
16 Safety is the next meeting.

17 (Whereupon, the Rules Committee
18 recessed at 2:16 p.m. and reconvened at 3:12
19 p.m.)

20 CHAIRWOMAN GONSALVES: We're back
21 in session. Let's go.

22 A number of items went through
23 committees and I'm going to begin with the
24 consent items and ask Frank to incorporate
25 testimony from those other committees into

1 Rules Committee/1-12-15

2 the Rules Committee.

3 (Whereupon, the following are the
4 minutes of the Public Safety Committee
5 pertaining to Clerk Items 9, 12, 15, 14, 29,
6 31, 32, 33, 18, 19, 20; 1-12-2015.)

7 CHAIRMAN DUNNE: We are going to
8 bunch these together. We have quite a few
9 with the medical examiner's office, three of
10 them, as a matter of fact. So, I'm going to
11 call 9-15, 12-15 and 13-15, they are all
12 ordinances supplemental to the annual
13 appropriations ordinance in connection with
14 the Department of Toxicology, Medical
15 Examiner, the Office of Forensic Genetics,
16 with the Medical Examiner and with the
17 Office of Forensic Genetics again.

18 LEGISLATOR FORD: So moved.

19 LEGISLATOR MACKENZIE: Second.

20 CHAIRMAN DUNNE: Motion by Denise
21 Ford, seconded by Legislator MacKenzie. Who
22 do we have to speak about this.

23 MR. HAHN: Timothy Hahn from the
24 Department of Forensic Toxicology.

25 The first one is a grant in the

1 Rules Committee/1-12-15

2 amount of \$46,200. That's a grant from the
3 New York State Governor's Traffic Safety
4 Committee. It's used to support DWI, DUI
5 testing for blood alcohol and drug testing.

6 CHAIRMAN DUNNE: That's state
7 funded.

8 MR. HAHN: That's state funded.

9 CHAIRMAN DUNNE: Excellent.
10 Next.

11 MR. HAHN: The next grant is a
12 grant in the amount of \$301,419. That is a
13 grant that's a federal grant that is used to
14 reduce the DNA backlog and to improve the
15 case turnaround time for DNA testing.

16 CHAIRMAN DUNNE: Again, no county
17 monies. That's federal money.

18 MR. HAHN: That's federal money.

19 CHAIRMAN DUNNE: Next.

20 MR. HAHN: The next grant is in
21 the amount of \$22,202. That's a federal
22 pass-through grant to the Paul Coverdell
23 Grant and that's used to support the
24 laboratory information system for the DNA
25 lab.

1 Rules Committee/1-12-15

2 CHAIRMAN DUNNE: Again, no county
3 dollars coming out of that, it's all grant
4 money.

5 MR. HAHN: Correct.

6 CHAIRMAN DUNNE: Any questions
7 from any legislators.

8 (No verbal response.)

9 Is there any public comment.

10 (No verbal response.)

11 There being none, all those in
12 favor indicate by saying aye.

13 (Aye.)

14 Any against.

15 (No verbal response.)

16 All three are passed. Thank you,
17 Mr. Hahn.

18 The next items are, and we are
19 going to call them as a group, it's Items
20 14-15, 18-15, 19-15, 20-15, and I believe
21 33-15. They are ordinances supplemental to
22 the annual appropriations ordinance in
23 connection with the Traffic Safety Board.
24 Let me review that again. 14, 29, 31, 32,
25 and 33 are the ones I'm calling. All

1 Rules Committee/1-12-15

2 ordinances supplemental to the annual
3 appropriations ordinance in connection with
4 the Traffic Safety Board, each and every one
5 of them reads the same. They're all
6 different.

7 LEGISLATOR MACKENZIE: So moved.

8 LEGISLATOR MUSCARELLA: Second.

9 CHAIRMAN DUNNE: Motion by
10 Legislator MacKenzie, seconded by Legislator
11 Muscarella.

12 MR. MISTRON: Christopher
13 Mistron, Nassau County Traffic Safety,
14 Department of Public Works.

15 The first one, number 14, is a
16 grant that's being received through the
17 Governor's Traffic Safety by way of the New
18 York State Stop DWI Foundation. What that
19 is for is special holiday enforcement monies
20 specifically outlined everything from Super
21 Bowl Sunday to St. Patrick's Day to July 4th
22 to Memorial Day to Labor Day. This is money
23 targeted for specific holidays. The bulk of
24 it goes to the police department as well as
25 partners within some of the villages and

1 Rules Committee/1-12-15

2 city police departments for that special
3 enforcement time.

4 CHAIRMAN DUNNE: Excellent. 29.

5 MR. MISTRON: 29 is the monies to
6 establish the Stop DWI program for 2015 as
7 outlined in a report to New York State and
8 approved by the New York State Governor's
9 Traffic Safety. The elements include monies
10 to be provided to the police department for
11 enforcement, both for the Nassau County PD
12 as well as the villages, as well as the
13 probation department, district attorney, and
14 for education rehabilitation purposes.

15 CHAIRMAN DUNNE: Again, accepting
16 funds to help us out.

17 MR. MISTRON: Correct. And this
18 money specifically is generated through
19 fines collected for DWI.

20 CHAIRMAN DUNNE: Item 31.

21 MR. MISTRON: 31 is a grant from
22 the Governor's Traffic Safety for child
23 passenger safety. It allows the department
24 to purchase car seats and equipment to be
25 able to do child safety checks throughout

1 Rules Committee/1-12-15

2 the county.

3 CHAIRMAN DUNNE: Excellent. The
4 next one, 32.

5 MR. MISTRON: Item 32 is the
6 Police Traffic Services Grant. It is a
7 grant through the Governor's Traffic Safety
8 Committee for distribution to the Police
9 Department as well as 20 of the village city
10 police departments within Nassau County for
11 purposes of enforcing the buckle up laws for
12 a week period within May as well as
13 aggressive driving and pedestrian safety
14 programs throughout the county.

15 CHAIRMAN DUNNE: Excellent. And
16 finally number 33.

17 MR. MISTRON: 33, the last one,
18 is the handicap parking surcharge grant.
19 What that does is, it provides money for
20 special programs geared towards everything
21 from specialized child safety seat checks
22 for parents with special needs children, as
23 well as education for purposes of
24 handicapped or special needs.

25 CHAIRMAN DUNNE: Very

1 Rules Committee/1-12-15

2 interesting. Any questions from any
3 legislators about any of these items?
4 Legislator David Denenberg.

5 LEGISLATOR DENENBERG: Mr.
6 Mistron, first, my compliments on another
7 great year, you do a great job with these
8 programs.

9 The grant money that was
10 represented by these supplemental
11 ordinances, are we up or down from last
12 year?

13 MR. MISTRON: In actuality, the
14 DWI fine revenues are down, so therefore the
15 DWI program is down. But that's a good
16 thing because that means that we've reached
17 a point where our arrests have been
18 decreased because there are fewer people
19 breaking the law.

20 In the case of the other three
21 grants, we were actually able to secure, not
22 substantial, but additional funding for all
23 the different programs from the state.

24 LEGISLATOR DENENBERG: So it's
25 up.

1 Rules Committee/1-12-15

2 MR. MISTRON: Yes, it's up.

3 LEGISLATOR DENENBERG: A
4 percentage up.

5 MR. MISTRON: It varies. It's
6 anything from -- in the case of the
7 handicapped, it was \$10,000 more than last
8 year. So, it's \$10,000 in addition to the
9 original from last year. The other ones
10 were increases of anything from \$500 for the
11 child passenger safety to around \$15,000 for
12 the overall state grant for enforcement.

13 LEGISLATOR DENENBERG: Good.
14 Thank you.

15 CHAIRMAN DUNNE: Thank you. Any
16 other legislator?

17 (No verbal response.)

18 Is there any public comment.

19 (No verbal response.)

20 There being none, all those in
21 favor for Items 14, 29, 31, 32, and 33
22 indicate by saying aye.

23 (Aye.)

24 Any against.

25 (No verbal response.)

1 Rules Committee/1-12-15

2 They all pass.

3 The next items to come before us
4 deal with the police department. They are
5 item numbers 18-15, 19-15, and 20-15. They
6 all state: Ordinance supplemental to the
7 annual appropriations ordinance in
8 connection with the police department. All
9 three of them are the same.

10 LEGISLATOR MUSCARELLA: So moved.

11 LEGISLATOR MACKENZIE: Second.

12 CHAIRMAN DUNNE: Motion by
13 Vincent Muscarella, seconded by Legislator
14 MacKenzie.

15 SERGEANT STEPHANOFF: Good
16 afternoon, Sergeant Greg Stephanoff. Happy
17 New Year to everybody.

18 CHAIRMAN DUNNE: Happy New Year
19 to you too.

20 SERGEANT STEPHANOFF: The first
21 grant, 18-15, is a grant for \$1,425,095.
22 There is a \$475,000 match that will come
23 from capital.

24 This grant has two projects. The
25 first project is to buy two 27 foot boats

1 Rules Committee/1-12-15

2 from Marine Bureau to replace older boats
3 and we are also going to purchase equipment.
4 Part of it is radiation detection equipment
5 to add on to the boats.

6 The second project is going to be
7 to enhance our IT infrastructure against
8 cyber attacks. It's going to be used to
9 enhance units outside the building. Like,
10 the cars have commuters now. We have
11 substations. You can't prevent a cyber
12 attack but you can help detect and also deal
13 with it so you have no loss of information.

14 Number 19-15 is a Homeland
15 Security Grant for \$50,000. This grant is
16 going to be used to enhance security for our
17 buildings. I believe we do a site analysis
18 of our security concerns and I believe
19 headquarters was chosen for this grant so we
20 are going to use it to enhance security such
21 as adding bollards to the building.

22 CHAIRMAN DUNNE: Item 20.

23 SERGEANT STEPHANOFF: Item 20 is
24 a \$100,000 grant. Also Homeland Security.
25 This grant is going to be used for exercises

1 Rules Committee/1-12-15

2 and equipment. The equipment is going to be
3 given to our bureau of special operations.
4 We're going to be giving them tactical entry
5 kits, tactical vests, and tactical
6 floatation devices in case they have to do
7 anything with Marine Bureau to assist with
8 Marine Bureau. So with tactical floatation
9 will let them go into the water and maintain
10 buoyancy.

11 CHAIRMAN DUNNE: Legislator
12 MacKenzie had a question about the boats.

13 LEGISLATOR MACKENZIE: Is it
14 specific as to where those boats are going
15 to be located?

16 SERGEANT STEPHANOFF: This is
17 part of the port security program, that
18 first grant. So it's going to basically
19 secure the waterways and we work with -- the
20 port security grant is working with the city
21 also. We are going to be buying two of
22 them. I think they are going to be placed
23 as the need arises.

24 We also have boats always on the
25 North Shore and South Shore. This is going

1 Rules Committee/1-12-15

2 to replace older boats from the fleet.

3 CHAIRMAN DUNNE: Any legislators
4 have any other questions.

5 (No verbal response.)

6 Is there any public comment.

7 (No verbal response.)

8 There being none, all those in
9 favor indicate by saying aye.

10 (Aye.)

11 Any against.

12 (No verbal response.)

13 All three items pass.

14 (Whereupon, the following are the
15 minutes of the Public Works and Parks
16 Committee pertaining to Clerk Item 11-15-15;
17 1-12-15.)

18 CHAIRMAN MUSCARELLA: We have one
19 item on today, it's Clerk Item 11-15, an
20 ordinance supplemental to the annual
21 appropriation ordinance in connection with
22 the Department of Public Works. Motion,
23 please.

24 LEGISLATOR SCHAEFER: So moved.

25 LEGISLATOR BECKER: Second.

1 Rules Committee/1-12-15

2 CHAIRMAN MUSCARELLA: Motion by
3 Ms. Schaefer, seconded by Mr. Becker. Do we
4 have someone here from the administration?

5 MR. WOLF: Good afternoon.
6 Lowell Wolf from the Department of Public
7 Works, Transit Division.

8 CHAIRMAN MUSCARELLA: Can you
9 just give us a brief synopsis of what this
10 is?

11 MR. WOLF: Sure. The Bus Transit
12 Committee to the NICE Bus Service, Nassau
13 Intercounty Express has requested and
14 appropriated \$1,538,779. This money would
15 be utilized to enhance the existing budget
16 for 2014. These are extra funds that were
17 collected as a result of additional money
18 available through the State Transportation
19 Operating Authority as well as a slight
20 increase in the fare in the fare box
21 calculations. There is no impact at all on
22 funding from the county.

23 CHAIRMAN MUSCARELLA: Do we have
24 any questions? Mr. Denenberg.

25 LEGISLATOR DENENBERG: So, this

1 Rules Committee/1-12-15

2 1.5 is money that was on top of what was
3 budgeted to come from the state and to come
4 from fares?

5 MR. WOLF: That's correct.

6 LEGISLATOR DENENBERG: So it's
7 surplus, if you will, of 1.5?

8 MR. WOLF: It would be an
9 enhancement to the existing operating fund.
10 Additional from what was budgeted.

11 LEGISLATOR DENENBERG: So, by
12 making this supplemental ordinance, we are
13 making this money available to what, for
14 what?

15 MR. WOLF: To maintain the
16 existing bus service.

17 LEGISLATOR DENENBERG: So, how
18 does it affect the '15 budget then?

19 MR. WOLF: It doesn't. This is
20 all funds from '14 for '14.

21 LEGISLATOR DENENBERG: So,
22 without these funds, we would have had a
23 deficit in our contract with NICE?

24 MR. WOLF: Yes, there would have
25 been a gap in the operating budget, yes.

1 Rules Committee/1-12-15

2 LEGISLATOR DENENBERG: If NICE is
3 being operated as a private bus company, how
4 would that gap in operating budget be the
5 county's gap when it's a NICE bus service
6 and they're private?

7 MR. WOLF: It would ultimately be
8 their gap, however, since the funding is
9 transferred, funneled through the county, we
10 are responsible for oversight and
11 maintenance of any funding, grant money, et
12 cetera, that is used for their operations.

13 LEGISLATOR DENENBERG: So the
14 money has to be given to NICE in any event?

15 MR. WOLF: Exactly.

16 CHAIRMAN MUSCARELLA: It's a flow
17 through from the county?

18 MR. WOLF: Exactly.

19 LEGISLATOR DENENBERG: Thank you.

20 CHAIRMAN MUSCARELLA: Any other
21 questions?

22 (No verbal response.)

23 Hearing none, all those in favor
24 of moving this item signify by saying aye.

25 (Aye.)

1 Rules Committee/1-12-15

2 Any opposed?

3 (No verbal response.)

4 The item carries.

5 (Whereupon, the following are the
6 minutes of the Health and Social Services
7 Committee pertaining to Clerk Items 10, 15,
8 22, 38, 1-12-15.)

9 CHAIRWOMAN WALKER: There are
10 four items on the agenda today. The first
11 is Clerk Item 10-15 which is an ordinance
12 supplemental to the annual appropriation
13 ordinance in connection with the Department
14 of Human Services, Office of the Aging.

15 Motion, please.

16 LEGISLATOR SCHAEFER: So moved.

17 LEGISLATOR BECKER: Second.

18 CHAIRWOMAN WALKER: Moved by
19 Legislator Schaefer, seconded by Legislator
20 Becker. We have.

21 MR. HALL: Brian Hall from Human
22 Services. This is a COLA funding we get
23 every year from the Office of the Aging to
24 maintain and recruit staff for our
25 subcontractors.

1 Rules Committee/1-12-15

2 We already have expenses that
3 cover the revenue so, in essence, it's 100
4 percent revenue coming in. We give it to
5 the different subcontractors for them to be
6 able to, like we said, recruit, and
7 increases for their own people to keep them
8 on staff.

9 CHAIRWOMAN WALKER: Okay. Any
10 questions from the legislators.

11 LEGISLATOR DERIGGI-WHITTON: Just
12 probably more of a clarification. There
13 were two different numbers; one is the
14 appropriation of \$438,928 and then there was
15 also the number of 428.

16 MR. HALL: Actually, it's
17 supposed to be the \$438,000. And 928, it's
18 three separate funding sources where we get
19 the COLA increase.

20 LEGISLATOR DERIGGI-WHITTON: So,
21 just for the record, the correct funding is
22 438.

23 MR. HALL: That's right.

24 LEGISLATOR DERIGGI-WHITTON:
25 Thank you.

1 Rules Committee/1-12-15

2 CHAIRWOMAN WALKER: Any other
3 questions or comments from the legislators.

4 (No verbal response.)

5 Any public comment.

6 (No verbal response.)

7 All those in favor of Clerk Item
8 10-15 signify by saying aye.

9 (Aye.)

10 Any opposed.

11 (No verbal response.)

12 The motion moves forward to
13 Finance. Clerk item 15-15 is an ordinance
14 supplemental to the annual appropriation
15 ordinance in connection with the Department
16 of Social Services.

17 May I have a motion, please.

18 LEGISLATOR BECKER: So moved.

19 LEGISLATOR MUSCARELLA: Second.

20 CHAIRWOMAN WALKER: Motion by
21 Legislator Becker, seconded by Legislator
22 Muscarella. We have Mr. Paul Broderick
23 here. Happy New Year.

24 MR. BRODERICK: Legislators, good
25 afternoon, and Happy New Year to one and

1 Rules Committee/1-12-15

2 all, healthy new year.

3 Paul Broderick, Deputy
4 Commissioner, Department of Social Services.
5 The item before you is a supplemental
6 appropriation for \$50,000. The item
7 appropriates \$50,000 in funds from the New
8 York State Division of Criminal Justice
9 Services to address domestic violence within
10 the county. Do you have any questions?

11 CHAIRWOMAN WALKER: Any questions
12 from the legislators or comments.

13 (No verbal response.)

14 Any public comment.

15 (No verbal response.)

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 Any opposed.

20 (No verbal response.)

21 It will go on to Finance. Thank
22 you.

23 Clerk item 22-15 is an ordinance
24 supplemental to the annual appropriation
25 ordinance in connection with the Department

1 Rules Committee/1-12-15
2 of Mental Health, Chemical Dependency and
3 Developmental Disability Services.

4 Motion, please.

5 LEGISLATOR BECKER: So moved.

6 LEGISLATOR SCHAEFER: Second.

7 CHAIRWOMAN WALKER: Moved by
8 Legislator Becker, seconded by Legislator
9 Schaefer.

10 MR. HALL: Hi. Brian Hall again.
11 This is a grant we received from the New
12 York State Office of Mental Health. It's a
13 mobility assistance grant. It's two pieces.
14 The first piece is, we have a manager who is
15 mapping out and setting up a plan for extra
16 bus service for people who have
17 developmental disability adults who are not
18 within range of NICE and the Able-Ride.
19 Once this plan is put in place, Rides
20 Unlimited in Suffolk County is going to
21 supply the buses and the services to get
22 these people who are in hard to reach areas.

23 CHAIRWOMAN WALKER: Excellent.
24 Legislator DeRiggi-Whitton.

25 LEGISLATOR DERIGGI-WHITTON:

1 Rules Committee/1-12-15

2 Legislator Judy Jacobs and myself really do
3 not have much access to Able-Ride in our
4 districts. So, how much of a service do you
5 provide for that?

6 MR. HALL: At this point now they
7 are studying to see where it's needed most.
8 It just happens that the north shore is one
9 of the areas where they are planning on
10 using it.

11 Again, the first year from now
12 until next September, they are working up a
13 study to see where it's most needed. They
14 are obviously going to concentrate on areas
15 that don't have Able-Ride or NICE within the
16 areas for these developmentally disabled
17 adults.

18 LEGISLATOR DERIGGI-WHITTON: I
19 know that Judy will also second this, but,
20 as was said, the two of us would really be
21 interested in this. Who, again, is doing
22 the study?

23 MR. HALL: Well, it's a grant
24 from the state Office of Mental Health. We
25 have, on hand, we have hired a personal

1 Rules Committee/1-12-15

2 service contract for the person. We have
3 her on board and she's working up the study
4 to figure out where we need it. And next
5 year, Rides Unlimited will be supplying the
6 buses and we will be working with them.

7 CHAIRWOMAN WALKER: This is a new
8 program, correct?

9 MR. HALL: Right, this is
10 something new. That's why the first year is
11 just the study and the second year it's
12 going to be implemented.

13 LEGISLATOR DERIGGI-WHITTON:
14 Could you give me the name of that woman.

15 MR. HALL: I have the name.

16 LEGISLATOR DERIGGI-WHITTON: I
17 would like to -- would there be any input
18 from the legislators or anything.

19 MR. HALL: I'm sure it would be
20 welcomed.

21 LEGISLATOR DERIGGI-WHITTON: Well,
22 speaking for Judy and I, we would really
23 like to be kept in the loop for that as well
24 as there is a very large senior center in
25 Glen Cove that Carol Waldman, the director,

1 Rules Committee/1-12-15

2 it's been a major major problem for us since
3 it's been stopped. So, Judy.

4 LEGISLATOR JACOBS: It's larger
5 than you can believe. Picture the county
6 just being split in four, and a whole
7 quarter of the county doesn't have this
8 service.

9 One thing bothered me a lot
10 recently that I didn't even realize. I was
11 always under the impression that within
12 three quarters of a mile of an established
13 bus route that they would be picked up. Not
14 so right, because in Plainview there is an
15 established bus route -- for example, on
16 Woodbury Road, a person lives a certain
17 distance off of Woodbury Road, which doesn't
18 quite make them eligible and they should
19 walk to Woodbury Road. They can't.

20 So, this program, as wonderful as
21 it is, Oh, my God, but I know at the
22 hearings that we all were at, at the
23 beginning when these cuts were -- I just
24 don't know what's happening. I mean, some
25 of the young people where Delia and I live,

1 Rules Committee/1-12-15

2 college students and everything else, cut
3 off.

4 As Delia mentioned, the Glen Cove
5 Senior Center, the Oyster Bay Senior Center,
6 and it's interesting to know this, I
7 believe, along with the rotary, I believe
8 from Glen Cove, actually put money together
9 and tried as hard as they could to have a
10 van that could do the job. They couldn't do
11 it for long because of the monetary impact
12 on them but, truthfully, it's probably one
13 of the most shameful things that is going on
14 right now. People with dialysis cannot get
15 there. People with hearing impairments or
16 vision impairments, and I really agree with
17 Delia, and not that everyone shouldn't be
18 informed, but certain the two of us and also
19 obviously Don MacKenzie from Oyster Bay,
20 should be the three of us, are kept informed
21 and our input should be part of it.

22 MR. HALL: Yes. I can get you
23 the information.

24 LEGISLATOR JACOBS: It's going to
25 take about a year.

1 Rules Committee/1-12-15

2 MR. HALL: Before it's
3 implemented, the plan, and this is for the
4 developmentally disabled. It's not for
5 everybody, but it's a start of what we are
6 looking to do.

7 LEGISLATOR JACOBS: But the
8 developmentally disabled would incorporate,
9 most likely, hearing, sight.

10 MR. HALL: Right.

11 LEGISLATOR JACOBS: So I really
12 would love for the three of us to have a
13 voice in this. And then I would like to
14 know how they are going to inform the
15 people. That's an important part.

16 MR. HALL: I can get back with a
17 little more information and I can also have
18 Lisa Murphy give you a call on this.

19 LEGISLATOR JACOBS: A lot of
20 people within the system know that I have
21 been bringing this up for so many years only
22 because it's such a void and so sad.

23 I just wanted to tell you, the
24 two of us, when Delia mentioned it, I said,
25 this would be wonderful if this could

1 Rules Committee/1-12-15

2 happen.

3 MR. HALL: It's the beginning
4 stages and hopefully the state will come
5 through with more funds down the road.

6 LEGISLATOR JACOBS: Let me tell
7 you, it's the beginning stages of something
8 that's been dormant for too long.

9 MR. HALL: Right.

10 LEGISLATOR JACOBS: Thank you.

11 CHAIRWOMAN WALKER: Thank you,
12 and I do appreciate that because it's a
13 major portion of this county that's really
14 been without the available rides to where
15 they need to go. And, please, if you could,
16 certainly the legislators, Legislator Jacobs
17 and DeRiggi-Whitton, and Legislator
18 MacKenzie, but if you get the information
19 too to the presiding officer and get it out
20 to all of us and we'll make sure we stay on
21 top of this with you.

22 MR. HALL: Okay. Will do.

23 CHAIRWOMAN WALKER: Thank you.

24 Any other further comments?

25 (No verbal response.)

1 Rules Committee/1-12-15

2 Any public comment.

3 (No verbal response.)

4 All those in favor of 22-15

5 signify by saying aye.

6 (Aye.)

7 Any opposed.

8 (No verbal response.)

9 It will move on to Finance.

10 Clerk item 38-15 is an ordinance

11 supplemental to the annual appropriation

12 ordinance in connection with the Department

13 of Health. Motion, please.

14 LEGISLATOR MUSCARELLA: So moved.

15 LEGISLATOR SCHAEFER: Second.

16 CHAIRWOMAN WALKER: Moved by

17 Legislator Muscarella, seconded by

18 Legislator Schaefer. Do we have someone

19 from the Health Department coming to speak?

20 Not today. Does anyone have any questions

21 in particular on this clerk item? We don't

22 have anyone here from the Health Department?

23 Usually we do have Ms. Lorraine here.

24 MR. MAY: I'm sorry, Chairwoman

25 Walker. We had Ms. Tony Mason here from the

1 Rules Committee/1-12-15

2 Health Department but she was called away to
3 a meeting and our regular MaryEllen Lorraine
4 was off today.

5 This is the COLA for the WIC
6 Program. This is just a supplemental
7 appropriation for, I forget the amount of
8 funds, I don't have it in front of me, but
9 an additional appropriation from the state
10 for the WIC Program. It's the cost of
11 living adjustment.

12 CHAIRWOMAN WALKER: We didn't
13 have any questions.

14 MR. MAY: I'm sorry. I was
15 having a conversation in the back and I
16 didn't want to leave you hanging. I
17 apologize.

18 CHAIRWOMAN WALKER: That's quite
19 all right. Thank you very much. So there
20 are no questions by the legislators. Any
21 public comment?

22 (No verbal response.)

23 All those in favor signify by
24 saying aye.

25 (Aye.)

1 Rules Committee/1-12-15

2 Any opposed.

3 (No verbal response.)

4 This will also move on to

5 Finance.

6 (Whereupon, the following is the
7 continuation of the minutes of the Rules
8 Committee, 1-12-15.)

9 CHAIRWOMAN GONSALVES: Thank you.
10 We begin with Item 5-15, Resolution Item
11 7-15, Item 9, 10, 11, remember, all for the
12 year '15: 12, 13, 14, 15, 16, 17, 18, 19,
13 20, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33,
14 36, 37. 35 will be part of the addendum.

15 Motion, please.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Dunne, seconded by Legislator
20 Kopel. Again, I repeat that the testimony
21 from the other committees should be
22 incorporated into Rules.

23 If there is no other comments
24 then, all those in favor of the items just
25 called signify by saying aye.

1 Rules Committee/1-12-15

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The items pass unanimously.

6 Now, the stand alone items for
7 Rules beginning with Item 1, a resolution
8 confirming the appointment by the County
9 Executive of James Darcy as a judge of the
10 District Court of the County of Nassau for
11 the Second Judicial District pursuant to
12 Section 21D of Article 6 of the Constitution
13 of the State of New York.

14 A motion, please.

15 LEGISLATOR DUNNE: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Dunne, seconded by Legislator
19 Kopel. Is Mr. Darcy here? Would you like
20 to come and introduce yourself to this body?

21 MR. DARCY: Good afternoon.

22 CHAIRWOMAN GONSALVES: Good
23 afternoon, Mr. Darcy.

24 MR. DARCY: I'm Jim Darcy. I'm
25 the subject of this resolution. I have been

1 Rules Committee/1-12-15

2 a practicing attorney for going on 35 years
3 handling various areas of law. In addition,
4 I have served roughly 20 years as an elected
5 official at different levels. I was a
6 village mayor, a state assemblyman, and
7 currently serve on the Hempstead Town Board.
8 I have 15 years experience as a village
9 prosecutor in two villages; the village of
10 Valley Stream and the village of Lynbrook,
11 and I have been screened and found well
12 qualified by the Nassau County Bar
13 Association.

14 CHAIRWOMAN GONSALVES: Legislator
15 Kopel.

16 LEGISLATOR KOPEL: Jim, welcome
17 and congratulations. I just want to say
18 that Mr. Darcy has been representing me for
19 quite a few years in the Hempstead Council,
20 and I just want to say that the people of
21 that district are going to be very lucky to
22 have you as a judge. I have no question
23 that you are going to do a marvelous job and
24 thank you for agreeing to serve.

25 MR. DARCY: Thank you for your

1 Rules Committee/1-12-15

2 kind words.

3 CHAIRWOMAN GONSALVES: Any other
4 comments from any other legislators?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of the confirmation of James Darcy as
10 Judge of the District Court signify by
11 saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 The item passes 4 to 3. Thank
16 you, Mr. Darcy.

17 The next item is Item 2, a
18 resolution confirming the appointment by the
19 County Executive of Joseph Girardi as judge
20 of the District Court of the County of
21 Nassau for the Fourth Judicial District
22 pursuant to Section 21D of Article 6 of the
23 Constitution of the State of New York.

24 A motion, please.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/1-12-15

2 LEGISLATOR NICOLELLO: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Nicolello. Is Mr. Girardi here? I know
6 you've been sitting for a while.

7 MR. GIRARDI: Thank you. Good
8 afternoon. My name is Joseph Girardi. I
9 spent a number of years with the Queens
10 County District Attorney's Office 0and 0for
11 the past 26 years I have been handling the
12 defense of criminal cases. I was screened
13 by the Nassau County Bar Association and
14 found well qualified.

15 If I'm confirmed by the
16 legislature it would be my privilege and
17 honor to serve the people in the County of
18 Nassau, especially from the Fourth District
19 where I would be out of. Thank you.

20 CHAIRWOMAN GONSALVES: Any other
21 comments from the legislators?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor of Joseph

1 Rules Committee/1-12-15

2 Girardi as Judge of the Fourth District
3 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (Nay.)

7 Passes 4 to 3. Thank you, Mr.
8 Girardi.

9 The next one is Item 4, a
10 resolution confirming the appointment by the
11 County Executive of Frank A. Doddato as
12 judge of the District Court of the County of
13 Nassau for the Third Judicial District
14 pursuant to Section 21D of Article 6 of the
15 Constitution of the State of New York.

16 A motion, please.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Dunne, seconded by Legislator
21 Kopel. Any questions? Where are you, Mr.
22 Doddato? Maybe you can tell us a little bit
23 about you.

24 MR. DODDATO: Good afternoon,
25 ladies and gentlemen. My name is Frank A.

1 Rules Committee/1-12-15

2 Doddato. I've been a practicing criminal
3 lawyer for over 40 years. As Mr. Girardi
4 just told you, I came from the district
5 attorney's office also, but that was the
6 Nassau County District Attorney's Office. I
7 served there for eight years. I rose to the
8 rank of Deputy Chief of the Rackets Bureau.
9 I've been practicing criminal law since
10 then. I've been involved in the practice of
11 law in the state and federal level. I've
12 tried over 100 cases.

13 The last couple of cases I tried
14 were triple homicide cases in the federal
15 court and I have over 100 trials under my
16 belt.

17 I have been nominated to be and
18 have been given the accolade of being a
19 super lawyer three times in a row. I have
20 been found well qualified by the Nassau
21 County Bar Association.

22 I tell this committee right now
23 or this legislature right now that I will
24 not embarrass anybody here. I will serve
25 the County of Nassau very faithfully. Thank

1 Rules Committee/1-12-15

2 you.

3 CHAIRWOMAN GONSALVES: Any
4 questions or comments for Mr. Doddato?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of confirming the appointment of Frank
10 A. Doddato as judge of the District Court
11 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 The 4 to 3. Thank you.

16 MR. DODDATO: Thank you.

17 CHAIRWOMAN GONSALVES: The next
18 item is Item 6, a resolution authorizing the
19 County Executive to execute an
20 intermunicipal agreement with the Village of
21 Thomaston in relation to a project to
22 procure and install LED street lights
23 throughout the village.

24 A motion, please.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/1-12-15

2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Kopel. Any questions regarding this item?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Item 6 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item passes unanimously.

15 Item 8 is a resolution
16 authorizing the County Executive to execute
17 an intermunicipal agreement with the Village
18 of Saddle Rock in relation to a project to
19 make improvements to street signs.

20 A motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR NICOLELLO: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Nicolello. Any questions, any comments by

1 Rules Committee/1-12-15

2 the legislators?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in

7 favor of Item 8 signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The item passes unanimously.

12 Item 21 is a resolution to accept

13 a gift offered by a donor to the Nassau

14 County Police Department canine unit.

15 A motion, please.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by

19 Legislator Dunne, seconded by Legislator

20 Kopel. I don't know if the sergeant wants

21 to talk about this one. Would you like to

22 say something about the donation? I'm very

23 partial to dogs.

24 SERGEANT STEPHANOFF: Good

25 afternoon. Sergeant Greg Stephanoff. Pat

1 Rules Committee/1-12-15

2 Fetter of Massapequa would like to donate
3 approximately \$1,000 to buy a bulletproof
4 vest for one of the canine dogs. This money
5 was fund-raising done by a group of
6 businesses in the area, they do it every
7 year, and then they look for worthy causes
8 to donate money. We were chosen for their
9 fund-raising this year for this donation.

10 CHAIRWOMAN GONSALVES: Any
11 comments for the sergeant?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of Item 21 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item passes unanimously.

21 Item 34 is a resolution
22 reappointing Richard R. Walker to the Sewer
23 and Storm Water Finance Authority on the
24 County Executive's recommendation pursuant
25 to Section 1232 of the Public Authority's

1 Rules Committee/1-12-15

2 Law, 34-15.

3 A motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRWOMAN GONSALVES: Moved by

7 Legislator Dunne, seconded by Legislator

8 Kopel. Any questions on the part of the

9 legislators?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in

14 favor of Item 34 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item passes 7 to 0, passes

19 unanimously.

20 Now I have to move to the

21 addendum and I need to motion to suspend the

22 rules, please, for the addendum.

23 LEGISLATOR NICOLELLO: So moved.

24 LEGISLATOR DUNNE: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/1-12-15

2 Legislator Nicoletto, seconded by Legislator
3 Dunne. All those in favor of suspending the
4 rules signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The rules are suspended and the
9 addendum is approved. Here we go. Item 35,
10 a resolution to confirm the County
11 Executive's appointment of Ann Hulka to the
12 Deffered Compensation Board.

13 A motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Kopel. Any questions/comments from the
19 legislators regarding this appointment?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 There being none, all those in
24 favor of Item 35 signify by saying aye.

25 (Aye.)

1 Rules Committee/1-12-15

2 Any opposed?

3 (No verbal response.)

4 The item passes unanimously.

5 The last item is Item 38, a
6 resolution authorizing the County Executive
7 to execute an intermunicipal agreement with
8 the Bethpage Fire District in relation to a
9 project to procure and install LED lighting
10 at all Bethpage Fire District properties.

11 A motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR NICOLELLO: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Nicolello. Any questions or comments from
17 the legislators?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of Item 38 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Rules Committee/1-12-15

2 The item passes unanimously.

3 Now I need a motion to adjourn
4 the Rules Committee.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Dunne, seconded by Legislator
9 Kopel. All those in favor of adjourning the
10 Rules Committee signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 We are now adjourned.

15 We are going to go now in a few
16 minutes to the Special Meeting of the
17 Legislature.

18 (Whereupon, the Rules Committee
19 adjourned at 3:25 p.m.)

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 26th day of January, 2015.

FRANK GRAY